

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

June 19-23, 2006

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
6-20	EX	78487664	Body Culture, Inc.	Quinn Bucher* Cataldo	2(d)	Refusal Affirmed		"ABEBA" [lingerie, bodysuits, pantyhose, boxer shorts, swimsuits, swimming trunks, nightwear, camisoles, shirts, coats, jackets, suits, bathing suits, scarves, belts, gloves, hats, t-shirts, sweatshirts, jogging suits, and sweatpants]	"ABEBA" (in stylized lettering) [footwear]	In	No
6-20	EX	76577262	Templer	Hohein Grendel Cataldo*	whether applicant's amended identification of goods exceeds the scope of the identification of goods included in the application as filed	Refusal Affirmed		"PRIMA-CARE" [cloth gauze]		Perkins	No
6-20	OPP	91106031	London Regional Transport v. The William A. Berdan & Edward C. Goetz, III Partnership and Intershoe, Inc.	Quinn Holtzman* Zervas	2(d) [priority]	Opposition Dismissed	"LONDON UNDERGROUND" [providing public transportation services; items promoting opposer's public transportation services, including clothing]	"LONDON UNDERGROUND" [shoes and other footwear]			No

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6-21	EX	76393986	Jump Designs, LLC	Quinn* Bucher Walsh	2(d)	Refusal Affirmed		"JUMP DESIGNS" [furniture, and goods of various materials, not included in other classes, in the nature of furnishings, and decorative and functional appointments, for home, office and commercial settings, <i>including desks and office furniture and numerous other goods</i>]	"JUMP" [desktop marker boards, desktop tack boards, clipboards, phone support trays, document supports for use with office furniture, namely, document file racks and trays, document support clips and holders, lap trays for writing, and support stands for supporting racks, trays, clips and desktop accessories; desktop organizers; furniture, non-metal storage bins, and desktop picture frames]	Stiglitz	Yes
6-21	EX	78412590	ABBTECH Staffing Services, Inc.	Seeherman Quinn* Drost	2(d)	Refusal Affirmed		"ABBTECH" [temporary and career placement and staffing services]	"ABB FULL SERVICE" [personnel staffing and placement services and consulting in connection therewith, namely, providing temporary, permanent and contract employees and human resources management]	Sparacino	No
6-22	EX	78367268	Pommery S.A.	Bucher* Grendel Zervas	2(d)	Refusal Affirmed		"SUMMERTIME" [wine, namely wines having the label of origin Champagne, and flavored sparkling wines]	"SUMMERTIME" [beer and ale]	Maciol	No

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6-22	EX	76614168	Prestige Cosmetics	Hairston Drost* Kuhlke	2(d)	Refusal Affirmed		"MULTI-TASK" [cosmetics, namely, facial powders]	"BIOELEMENTS MULTI-TASK" [eye creams, eye oils, and eye pads containing eye gel]	Aikens	No
6-22	EX EX	76413051 76413157	Richemont International, S.A.	Seeherman* Bucher Walsh	whether applicant's description of its marks is acceptable; 2(e)(5) [functionality]	Refusal Affirmed in both cases on both grounds		<i>two product design marks described as follows:</i> "The mark consists of a configuration of a rectangular watch case in one position from a series of movements whereby the watchcase may be inverted. The watch case border design and the terms JAEGER-LECOULTRE and JL are claimed as features of the mark." <i>and</i> "The mark consists of a configuration of a rectangular watch case in one position from a series of movements whereby the watch case may be inverted. The raised horizontal lines and the terms JAEGER-LECOULTRE and REVERSO are claimed as features of the mark." <i>[both marks for watches]</i>		Altree	No
6-22	EX	76294975	Marigny Corporation	Seeherman* Quinn Bucher	2(d)	Refusal Reversed		"WORLD CLASS GOURMET COFFEES (and design) [coffee]	"WORLD CLASS COFFEES FOR WORLD CLASS PEOPLE" (in stylized lettering) [coffee, tea and spices]	Sharper	No

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6-22	EX	78465043	Liberty Bankers Life Insurance Company	Hairston Bucher Drost*	2(d)	Refusal Affirmed as to all four cited registrations		"LBL" (and rectangle design) [life insurance services, namely, administering both individual and group annuity insurance products, including single premium deferred annuities, single premium immediate annuities, flexible premium deferred annuities and multi-year guaranteed annuities, and providing third party administrative services for term life insurance policies]	<i>4 cited registrations, all owned by the same entity:</i> "THE LBL GROUP," "LBL" (and design), and "LBL" [all three marks for a variety of services, including insurance underwriting services in the field of group, individual, and voluntary benefits plans, namely, medical, dental, vision, life, disability, cancer and long term care]; "THE LBL GROUP" [indicating membership in an association of insurance and financial services providers]	Ferraiuolo	No
6-22	OPP	91119934	Time Warner Entertainment L.P. and Warner Bros. Entertainment, Inc. v. FTC Communications, Inc.	Walters* Rogers Kuhlke	2(d)	Opposition Sustained as to both classes	"ROAD RUNNER" [entertainment services and a wide variety of licensed collateral products and services, including Internet access services]	"FTC ROADRUNNER" [in Class 9: electrical and scientific apparatus, namely, a pager; in Class 38: telecommunications, namely, a paging service]			No
6-23	EX	76592790	Lenders Direct Capital Corporation	Seeherman* Drost Walsh	2(d)	Refusal Affirmed		"HOME RUN LOAN" [mortgage lending]	"HOMERUNNER" [mortgage loan services]	Holtz	No

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6-23	EX	76424575	Viventia Biotech Inc.	Seeherman* Hohein Rogers	2(e)(1)	Refusal Affirmed in all three classes		"ARMED ANTIBODIES" [<i>in Class 1</i> : biological preparations for use in the manufacture of biopharmaceutical and biotechnology products; <i>in Class 5</i> : biopharmaceutical and biotechnology reagents, namely, hybridoma-generated antibodies and recombitant fragments thereof for medical diagnostic use in the treatment of cancer, <i>and other goods</i> ; <i>in Class 42</i> : research and product development services in connection with the biopharmaceutical and biotechnology industries]		Oh	Yes
6-23	EX	78228569	MEMC Electronic Materials, Inc.	Quinn Walsh Cataldo*	2(e)(1)	Refusal Affirmed		"PERFECT SILICON" [silicon wafers]		Spruill	No

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